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ACTION EA-14

INFO OCT-01 CIAE-00 DODE-00 PM-06 H-02 INR-06 L-03 NSC-10
P-03 RSC-01 PRS-01 SS-14 USIA-12 NSA-05 AID-20 UPW-01
IO-11 RSR-01 /111 W

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P R 111048Z AUG 71
FM AMEMBASSY SAIGON
TO SECSTATE WASHDC PRIORITY 8540
INFO AMEMBASSY BANGKOK
USDEL FRANCE
AMEMBASSY PHNOM PENH
AMEMBASSY VIENTIANE
CINCPAC
AMCONSUL DANANG

C O N F I D E N T I A L SAIGON 12822

DEPARTMENT OF STATE A/CDC/MR
REVIEWED BY Joan Szenberg DATE 1/26/82
RDS☐or XD☐EXT. DATE
TS AUTH. REASON(S)
ENDORSE EXISTING MARKING ☐
DECLASSIFIED☑ RELEASABLE☑
RELEASE DENIED☐
PA or FOI EXEMPTIONS

CINCPAC FOR POLAD

SUBJECT: PRESIDENTIAL ELECTION: WILL KY FILE COMPLAINT AGAINST HIS REJECTION?

REF: A. SAIGON 12444 - POL 14 VIET S
B. SAIGON 12746 (ITEM A4)

1. AS OF EARLY EVENING AUGUST 11 WE HAVE NO HARD INFORMATION ON WHETHER VICE PRESIDENT KY HAS REACHED A DECISION ON LODGING AN APPEAL WITH THE SUPREME COURT AGAINST THE REJECTION OF HIS CANDIDACY BY COURT'S STANDING COMMITTEE AUGUST 5 (REFTELS).

2. WE UNDERSTAND AT LEAST SOME MEMBERS OF KY'S ENTOURAGE, INCLUDING LEGAL AIDES, HAVE ADVISED HIM NOT TO APPEAL AND TO WITHDRAW CHARGING PRESIDENT THIEU WITH FRAUD.

3. LE VAN THAI, KY'S CAMPAIGN MANAGER, TOLD EMBOFF AFTERNOON AUGUST 11 THAT KY WILL MAKE ANNOUNCEMENT AT PRESS CONFERENCE PLANNED FOR MORNING AUGUST 12. THAI DECLINED TO REVEAL

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KY'S DECISION (WHICH MAY NOT YET BE FINAL).

4. MEANWHILE ACCORDING TO SEMI-OFFICIAL VIETNAM PRESS, SUPREME COURT WILL ON AUGUST 19 HEAR CASE CHALLENGING CONSTITUTIONALITY OF ACT 14 OF PRESIDENTIAL ELECTION LAW (UNDER WHICH SLATES OF CANDIDATES WERE POSTED AUG 5). EFFECT, IF ANY, OF THIS ACTION ON KY'S POSITION IS AT PRESENT UNCLEAR.
BERGER

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